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 15 *Counsel Listed in Consolidated Complaint*]

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19 IN RE OPTICAL DISK DRIVE
 20 PRODUCTS ANTITRUST LITIGATION

) MDL No. 3:10-md-2143 VRW

21)
 22) **NOTICE OF A LAWSUIT AND**
 23) **REQUEST TO WAIVE SERVICE OF**
 24) **SUMMONS; WAIVER OF THE**
 25) **SERVICE OF SUMMONS**

26 This Document Relates to:

27 ALL INDIRECT PURCHASER ACTIONS

NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF SUMMONSTo: Samsung Electronics Co., Ltd.**Why are you getting this?**

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within 30 days from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means of returning one copy. You may keep the other copy.

What happens next?

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you. **Pursuant an agreement between the parties, you will have forty-five (45) days from the date the consolidated complaint was filed, August 26, 2010, to answer said complaint.**


If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date:

9/23/10



Signature of Attorney

STEPHEN G. LARSON

Printed Name

 1126 WILSHIRE BLVD.
 LOS ANGELES, CA 90017

Address

slarson@girardikeese.com

E-mail Address

(213) 977-0211

Telephone Number

WAIVER OF THE SERVICE OF SUMMONS**To:** Stephen G. Larson, Esq.

I have received your request to waive service of summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses and objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I will waive any objections to the absence of a summons or of service.

I also understand that, pursuant to an agreement between the parties, I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within forty-five (45) days from the date the consolidated complaint was filed, August 26, 2010. If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 10/8/10Ian Simmont

Printed name of party waiving service of summons

[Signature]
Signature of Attorney
Ian Simmont

Printed Name

1625 Eye St. NW

Address

isimmons@comcast

E-mail Address

202 383 5146

Telephone Number

DUTY TO AVOID UNNECESSARY EXPENSES OF SERVING A SUMMONS

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of the summons or of service.

If you waive service, then you must, within the time period specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.